



राजपत्र, हिमाचल प्रदेश

(असाधारण)

हिमाचल प्रदेश राज्य शासन द्वारा प्रकाशित

शिमला, शुक्रवार, 18 मई, 2007/28 देशाख, 1929

हिमाचल प्रदेश सरकार

श्रम एवं रोजगार विभाग

अधिसूचना

शिमला-2, 23 अप्रैल, 2007

संख्या श्रम (ए) 4-7/2006.—हिमाचल प्रदेश के राज्यपाल की यह राय है कि न्यूनतम मजदूरी अधिनियम, 1948 की धारा 30 को निम्न प्रकार से पुनरीक्षित किया जाए।

और यह न्यूनतम मजदूरी अधिनियम, 1948 का प्रस्ताव जन-साधारण की सुचनार्थ/आपत्ति के लिए अधिसूचना समसंधक द्वारा हिमाचल प्रदेश, राजपत्र में दिनांक 17-2-2007 को हिमाचल प्रदेश मिनिस्टर अधिसूचना नियम संशोधन करने के लिये नियम बनाने हेतु प्रकाशित किया गया था और यह जन-साधारण से कोई भी आपत्ति व सुक्षम प्राप्त नहीं हुए हैं।

अतः राज्यपाल, हिमाचल प्रदेश, न्यूनतम मजदूरी अधिनियम, 1948 की धारा 30 के अधीन प्रदत्त शक्तियों का प्रयोग करते हुए, हिमाचल प्रदेश न्यूनतम मजदूरी नियम, 1978 का संशोधन करने के आदेश देते हैं।

आदेश द्वारा,

हस्ताक्षरित/-
सचिव ।

श्रम एवं रोजगार विभाग

अधिसूचना

शिमला-2, 23 अप्रैल, 2007

संख्या श्रम (ए) 4-7/2006—हिमाचल प्रदेश के राज्यपाल, न्यूनतम मजदूरी अधिनियम, 1948 की धारा 30 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुये, इस विभाग की अधिसूचना संख्या 7-188/76-एल 0 ई 0 पी 0 श्रम, तारीख 23 अगस्त, 1978 द्वारा अधिसूचित और तारीख 5 अगस्त, 1980 के राजपत्र, हिमाचल प्रदेश (अनाधारण) में प्रकाशित हिमाचल प्रदेश मिनिमम वेजिज रूल्ज, 1978 का संशोधन करते के लिए निम्नलिखित नियम वसाने का प्रस्ताव करते हैं:—

प्रारूप नियम

1. संक्षिप्त नाम.—इन नियमों का संक्षिप्त नाम हिमाचल प्रदेश मिनिमम वेजिज (अमैण्डमैन्ट) रूल्ज, 2006 है।

2. नियम 28 का संशोधन.—हिमाचल प्रदेश मिनिमम वेजिज रूल्ज, 1978 (जिन्हें इसमें इसके पश्चात् उक्त नियम कहा गया है) के नियम 28 में, उप-नियम (6) के पश्चात् नया उप-नियम (7) जोड़ा जाएगा, अर्थात्:—

“(7)(a) Every employer shall submit employees/workers Identity Cards to the Area Labour Officer within three days from the date of employment of the employees/workers on the prescribed Form-XIII and the Labour Officer shall return the Identity Card to the employer within a period of seven days duly attested for further distribution to the concerned employee/worker : ”

Provided further that if the employee/workman is required to be issued Employment Card/Pass Book under the Contract Labour (Regulation and Abolition) Act, Himachal Pradesh Rules, 1974 or under the Himachal Pradesh Migrant Workmen (Regulation of Employment & Condition of Service) Himachal Pradesh Rules, 1983, respectively, there shall be no need to issue employees/workers Identity Cards under the provisions of the Himachal Pradesh Minimum Wages Rules, 1978. However, if an identity card is required to be issued under the Minimum Wages Rules, 1978 ticket is required to be issued under the item No. 3 of Schedule 1 under Rule 3 of Industrial Employment (Standing Order) Himachal Pradesh Rules, 1973 and amendment Rules, 1991 the same shall be issued under the former.

(b) The employer shall bear the cost of issue of employees/workers Identity Cards to the employees/workers employed in the establishment.

(c) The employer shall maintain the record of issue of Identity Cards of employees/workers of the establishment in Form-VII and shall also maintain its Index in Form-VII-A. The employer shall submit the copy of Form-VII and its index in Form-VII-A to the concerned Labour Officer. The employer shall preserve the same for a period of three years after the date of last entry made therein.

(d) The employees/workers identity cards shall be valid for a period for three years from the date of issue or date of termination of employment from the establishment by the employer, which ever is earlier.

(e) The employer shall submit new Identity Cards in Form-XIII not less than thirty days before the date on which the Identity Card expires for attestation for further period of three years to the Area Labour Officer. The Labour Officer shall return the same duly attested within a period of seven days from the date of receipt of the same, to the employer for further distribution to the employees/workers.

(f) The Identity Card shall be maintained upto date and any change in it and corresponding Form No. VII and VII-A including addition, deletion and alteration shall be intimated to the concerned Labour Officer within seven days from such changes by the employer and shall be attested by the concerned Labour Officer".

3. फार्म-VII का प्रतिस्थापन.—इन नियमों से संलग्न फार्म-VII के स्थान पर निम्नलिखित प्रतिस्थापित किया जाएगा, अर्थात्:—

“FORM-VII

(See rules 28, 6 and 7)

REGISTER OF EMPLOYEE

Sl. No.....
(Last 4 digits of Identity Card No.)

1. Name & Address of the Establishment.....
..... Telephone No.
2. Registration/Licence No.
3. Contractor Name.
4. Contractor Licence No.
5. Contractor address.
.....
6. Serial Number of the worker in the Register of workers.
7. Worker/Employee Name.

Affix latest
Photograph of
employee to be
attested by the
employer

8. Father/Husband's Name.....

9. Date of Birth (Date) (Month) (Year)

10. Sex (M/F).....

11. Local Residential address of the worker..... State.....

12. Permanent address of the worker..... State.....

13. Name of next of kin of the worker..... Relationship.....

14. Date of Employment: (In the Current Job.....

15. Wage Rate Per Month.....

16. Nature of Job/Designation..... Code ().....

17. Intended time limit in present employment.....

Signature/Thumb Impression of the Employee.

Declaration.—It is declared that the information given in the Register of Workmen is correct as per record and factual position.

Place.....

Signature of Employer/Contractor.

Date.....

4. फार्म-**VII**-ए का जोड़ा जाना.—इन तियमों से संलग्न फार्म-**VII** के पश्चात् निम्नलिखित फार्म अन्तःस्थापित किया जाएगा, अर्थात् :—

“**FORM-VII-A**

[See rule 28(7)]

INDEX OF FORM-VII
(to be maintained as a Column-wise Register)

1. Serial No. of Form-XII (same as last 4 digits of Identity Card No.).....
2. Name of the Workman.....
3. Father's name of the Workman.....
4. Date of issue of Identity Card.....
5. Date of Employment.....
6. Date of termination of employment alongwith reasons.....
7. Remarks.....

Declaration.—It is declared that the information given in above Index are correct as per record and factual position.

Signature of the Employer.

5. फार्म XIII-ए का जोड़ा जाना।—इन नियमों में संलग्न फार्म-XII के पश्चात् निम्ननिवित्त फार्म अन्तःस्थापित किया जाएगा, अर्थात् :—

“FORM-XIII

[See rule 28(7)]

WORKERS/EMPLOYEES IDENTITY CARD

Name of Establishment.....	Photograph of worker
ID Card No.	
Name.....	
Date of Birth.....	
Father's/Husband Name.....	
Local Address.....	
Name of next of kin.....	
Permanent Address.....	
Contractor Name.....	

Photograph of worker

Signature of Worker

Licence No., if any.....
Address.....
Nature of Employment.....
Date of Employment.....
Wage Rate.....
Valid upto.....

Issued by

Attested by

Employer/Contractor Signature

Labour Officer/Inspector

Date of issue.....

Place.....

आदेश द्वारा,

हस्ताक्षरित :-
सचिव

LABOUR AND EMPLOYMENT DEPARTMENT

NOTIFICATION

Shimla-2, the 23rd April, 2007

No. Shram (A)4-7/2006.—Whereas the Governor, Himachal Pradesh is of the opinion that in exercise of the powers conferred by section 30 of the Minimum Wages Act, 1948 is pleased to make the following rules to amend the Himachal Pradesh Minimum Wages Rules, 1978.

And whereas the proposal for the amendment the Himachal Pradesh Minimum Wages Rules, 1978 was notified and published in Himachal Pradesh Rajpatra dated 17-2-2007 for general information and inviting objection/suggestions;

And whereas no objections/suggestions were received from the general public. Now, therefore, the Governor of Himachal Pradesh in exercise of the powers conferred by section 30 of the Minimum Wages Act, 1948, is pleased to make the following rules to amend the Himachal Pradesh Minimum Wages Rules, 1978.

By order,

Sd/-
Secretary.

LABOUR AND EMPLOYMENT DEPARTMENT

NOTIFICATION

Shimla-2, the 23rd April, 2007

No. Shram (A)4-7/2006.—In exercise of the powers conferred by section 30 of the Minimum Wages Act, 1948, the Governor of Himachal Pradesh proposes to make the following rules to amend the Himachal Pradesh Minimum Wages Rules, 1978 notified *vide* this Department notification No. 7-188/76-LEP-Shram, dated 23rd August, 1978 and published in Rajpatra, Himachal Pradesh (Extra ordinary) dated 5th August, 1980 as under :—

~~DRAFT RULES~~

1. *Short title.*—These rules may be called the Himachal Pradesh Minimum Wages (Amendment) Rules, 2006.

2. *Amendment of rule-28.*—In rule 28 of the Himachal Pradesh Minimum Wages Rules, 1978 (hereinafter referred to as the said Rules), after sub-rule (6), new sub-rule (7) shall be added, namely :—

“(7) (a) Every employer shall submit employees/workers Identity Cards to the Area Labour Officer within three days from the date of employment of the employees/workers on the prescribed Form-XIII and the Labour Officer shall return the Identity Card to the employer within a period of seven days duly attested for further distribution to the concerned employee/worker:

Provided further that if the employee/workman is required to be issued Employment Card/Pass Book under the Contract Labour (Regulation and Abolition) Act, Himachal Pradesh Rules, 1974 or under the Himachal Pradesh Migrant Workmen (Regulation of Employment and Condition of Service) Himachal Pradesh Rules, 1983 respectively, there shall be no need to issue employees/workers Identity Cards under the provisions of the Himachal Pradesh Minimum Wages Rules, 1978. However, if an identity card is required to be issued under the item No. 3 of Schedule under Rule 3 of Industrial Employment (Standing Order) Himachal Pradesh Rules, 1973 and amendment Rules, 1991, the same shall be issued under the former.

(b) The employer shall bear the cost of issue of employees/workers Identity Cards to the employees/workers employed in the establishment.

(c) The employer shall maintain the record of issue of Identity Cards of employees/Workers of the establishment in Form-VII and shall also maintain its Index in Form-VII-A. The employer shall submit the copy of Form-VII and its Index in Form VII-A to the concerned Labour Officer. The employer shall preserve the same for a period of three years after the date of last entry made therein.

(d) The employee/workers Identity Cards shall be valid for a period for three years from the date of issue or date of termination of employment from the establishment by the employer, whichever is earlier.

(e) The employer shall submit new Identity Cards in Form-XIII not less than thirty days before the date on which the Identity Card expires for attestation for further period of three years to the Area Labour Offices. The Labour Officer shall return the same duly attested within a period of seven days from the date of receipt of the same to the employer for further distribution to the employees/workers.

(f) The Identity Card shall be maintained upto date and any change in it and corresponding Form No. VII and VII-A including addition, deletion and alteration shall be intimated to the concerned Labour Officer within seven days from such changes by the employer and shall be attested by the concerned Labour Officer".

3. *Substitution of Form-VII.*—For Form VII appended to these rules, the following shall be substituted, namely:—

“FORM VII

[See Rules 28, (6) and (7)]

(REGISTER OF EMPLOYEE)

Sl. No.....
(last 4 digits of Identity Card No.)

1. Name & Address of the Establishment.....
..... Telephone No.
2. Registration/Licence No.....
3. Contractor Name.....
4. Contractor Licence No.....
5. Contractor Address.....

Affix Latest
Photograph of
employee to be
attested by the
employer

6. Serial Number of the worker in the Register of Workers.....
7. Worker/Employee Name.....
8. Father/Husband Name.....
9. Date of Birth.....
(DD/MM/YYYY)
10. Sex (M/F).....
11. Local Residential Address of the worker.....
.....
12. Permanent Address of the worker.....
..... State.....
13. Name of next of kin of the Worker..... Relationship.....
14. Date of Employment (In the Current Job).....
15. Wage rate per month.....
16. Nature of Job/Designation..... Code ().....
17. Intended time limit in present employment.....
.....

Signature/Thumb Impression of the Employee

Declaration.—It is declared that the information given in the Register of Workmen is correct as per record and factual position.

Place.....

Date.....

Signature of Employer/Contractor

4. *Addition of Form VII-A.*—After Form VII appended to these rules, the following form shall be inserted, namely :—

“FORM VII-A

[See rule 28(7)]

Index of Form VII

(to be maintained as a column wise Register)

1. Serial No. of Form XIII (same as last 4 digits of Identity Card No.).....
2. Name of the Workman.....
3. Father's name of the Workman.....
4. Date of issue of Identity Card.....
5. Date of Employment.....

6. Date of termination of employment along with reasons.....
 7. Remarks.....

Declaration.—It is declared that the information given in above Index are correct as per record and factual position.

Signature of Employer.

5. Addition of form XIII.—After Form XII appended to these said rules, the following form shall be added, namely :—

“FORM-XIII

[See rule 28(7)]

WORKERS/EMPLOYEES IDENTITY CARD

Name of Establishment.....
 ID Card No.....
 Name.....
 Date of Birth.....
 Father's/Husband Name.....
 Local Address.....
 Name of next of kin.....
 Permanent Address.....
 Contractor Name.....

Photograph of
worker

Signature of Worker.....

Licence No. if any.....
 Address.....
 Nature of Employment.....
 Date of Employment.....
 Wage rate.....
 Valid upto.....

Issued by

Attested by

Employer/Contractor Signature

Labour Officer/Inspector

Date of issue.....

Place.....

By order,

Sd/-
Secretary.

नियन्त्रक, मुद्रण तथा लेखन साक्षात्री, हिमाचल प्रदेश, शिमला-५ द्वारा मुद्रित तथा प्रकाशित